



**Montgomery County Department of Health and Human Services
Licensure and Regulatory Services**

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To: Owners, Management Companies, and Certified Operators of Public
Swimming Pools and Spas in Montgomery County, Maryland

From: Mr. John Munley
Program Manager II
Montgomery County Department of Health and Human Services
Licensure and Regulatory Services

Re: Entrapment and Entanglement Hazard Prevention

The Federal Government, in an effort to prevent entrapment and entanglement hazards in all pools and spas, enacted the Virginia Graeme Baker Act (VGB) in December 2008. Dual drains (or an approved alternative) are a requirement of this act and have been required by the State of Maryland since June 1, 2002. Facilities located in Montgomery County are already in compliance with this provision of the act. VGB's remaining requirements are designed to further reduce injuries related to entrapment and entanglement. Because of situations beyond their control, some pool owners requested, and were granted, an interim compliance variance to VGB. The variance requires that a facility have an approved interim compliance safety plan in place for all pools and spas currently in operation, and prior to operating for all other pools and spas.

This plan must detail the temporary measures taken to meet the intent of the VGB safety requirements. The plan must also be in writing and readily available to pool personnel. Additionally, the plan must:

- Identify potential entrapment and entanglement hazards at the pool or spa.
- Describe all actions that will be taken to prevent the identified hazards from occurring.
- Outline daily duties and responsibilities of pool personnel to prevent the hazards from occurring.
- Indicate what actions pool personnel must follow in the event an entrapment or entanglement hazard is observed.
- Describe the program used to train pool personnel on the dangers of entrapment and entanglement hazards and the components of the plan.
- Indicate what means will be used to educate patrons on entrapment and entanglement hazards (i.e., Keep away from suction outlets; Closely supervise young children, etc.).
- Describe how the effectiveness of the plan will be evaluated (i.e., Are the records

complete and up-to-date? Are pool personnel familiar with the components of the plan? Is the plan being followed on a daily basis? Is the plan adequate to prevent entrapment and entanglement hazards?).

To further protect the patrons of public pools and spas, the State of Maryland requires that all facilities complete a daily entrapment and entanglement hazard checklist prior to opening the pool each day. The components of the checklist must be included in the safety plan. A sample of an approved checklist is attached.

It is the responsibility of the owner, management company (if contracted), and certified pool operator to monitor pool personnel and ensure such personnel are knowledgeable about the potential hazards and are maintaining all required written records including the daily entrapment and entanglement hazard checklist. Furthermore, it is the responsibility of the owner, management company (if contracted), and certified pool operator to ensure that any actions taken in response to an identified hazard are in accordance with the approved plan. If an inspection indicates the interim compliance safety plan is not effective or that an entrapment or entanglement risk exists, the pool must immediately close until the condition no longer exists. In addition, as part of the routine inspection process, Licensure and Regulatory Services will verify that all components of the interim compliance safety plan are in place and are being properly followed. A facility's operating license is subject to suspension if an entrapment or entanglement hazard is found to exist.